

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

THOMAS A. EAMES, ROBERTA L. )  
EAMES, and TAMMY EAMES, on behalf )  
of themselves and all others similarly )  
situated, )

Plaintiffs, )

v. )

NATIONWIDE MUTUAL INSURANCE )  
COMPANY, )

Defendant. )

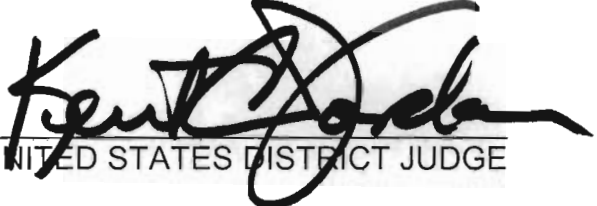
Civil Action No. 04-1324-KAJ

**ORDER**

For the reasons set forth in the Memorandum Opinion issued in this matter today,

IT IS HEREBY ORDERED that the Motion to Dismiss (D.I. 167) is GRANTED IN PART as to Plaintiffs' claims that are based on the alleged misrepresentation that the limits of the insurance policy purchased by Plaintiffs from Defendants were different than \$15,000/\$30,000. Decision is reserved as to the remaining issues raised by the Motion to Dismiss.

IT IS FURTHER ORDERED that Defendant must submit, within two weeks of the date of this Order, argument addressing the issue of subject matter jurisdiction over Plaintiffs' remaining claims. IT IS FURTHER ORDERED that Plaintiffs will respond within two weeks of Defendant's submission, and Defendant will reply within one week of Plaintiffs' response.

  
UNITED STATES DISTRICT JUDGE

August 29, 2006  
Wilmington, Delaware